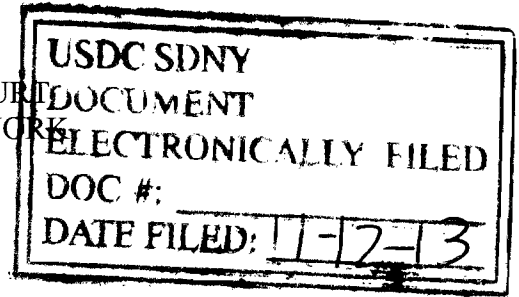


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



JESSE MCDOWELL,

Plaintiff,

v.

ELI LILLY AND COMPANY,
an Indiana Corporation,

Defendant.

Case No. 13-CV-3786
Judge Robert W. Sweet

[PROPOSED] Scheduling Order

Pursuant to Rules 16-26(f) of the Federal Rules of Civil Procedure, the Court hereby adopts the following Scheduling Order.

- I. Discovery Period for Core Case-Specific Discovery. November 15, 2013 - March 21, 2014.
 - A. Deadline for production of documents contained in Cymbalta® IND/NDA files. December 2, 2013.
 - B. Deadline for production of all documents concerning (1) Plaintiff's treatment with Cymbalta® and (2) any medical treatment or evaluation Plaintiff received for any injury Plaintiff claims resulted from the use of Cymbalta®. January 17, 2014.
 - C. Deposition of Prescribing Physicians and Plaintiff: 30 days following completed production of Paragraph I(B) materials.
 - D. Deadline for filing of all summary judgment motions on Core Case-Specific Discovery issues: 30 days following depositions provided for under Paragraph I(C).
- II. Discovery Period for Non-Core Discovery:¹ March 24, 2014-June 1, 2014. All discovery requests shall be served in time for the responses thereto to be served by this date. *De bene esse* depositions must be completed by the discovery deadline.

¹ All Non-Core Discovery will be stayed pending resolution of any summary judgment motion filed at the close of Core Discovery.

SO ORDERED.

DATED: 11-11, 2013

New York, New York

A handwritten signature in black ink, appearing to read "Sweet", is written over a horizontal line.

ROBERT W. SWEET

UNITED STATES DISTRICT JUDGE